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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ROBERT SHEREZ,

Plaintiff,

vs.

STATE OF HAWAII, DEPARTMENT
OF EDUCATION, PATRICIA
HAMAMOTO, Superintendent of
Hawai'i Schools; MEREDITH
MAEDA, Principal, Castle High
School, SARA GRONNER or
GRONNA, Vice Principal of Castle
High School,

Defendants.

Civil No. 04-00390 JMS/KSC

DEFENDANTS' PROPOSED VOIR
DIRE INQUIRIES; CERTIFICATE OF
SERVICE

Trial: March 28, 2007

Judge: Hon. J. Michael Seabright

DEFENDANTS' PROPOSED VOIR DIRE INQUIRIES

COMES NOW, Defendants STATE OF HAWAII, DEPARTMENT OF EDUCATION, and in their official capacities, PATRICIA HAMAMOTO, MEREDITH MAEDA AND SARAH GRONNA, and in their individual capacities, MEREDITH MAEDA AND SARAH GRONNA (referred to collectively as "Defendants"), by and through their undersigned attorneys, pursuant to the Court's Second Amended Rule 16 Scheduling Order filed on February 22, 2007, hereby submits their proposed voir dire inquiries. Defendants request that the Court examine the prospective jurors with the attached questions.

DATED: Honolulu, Hawai'i, March 13, 2007.

/s/ NELSON Y. NABETA

NELSON Y. NABETA
Deputy Attorney General

Attorney for Defendants

PROPOSED SPECIAL VOIR DIRE INQUIRIES

1. Have you, any member of your immediate family or anyone close to you, felt that they have been a victim of discrimination on the basis of gender in the work place? If so, please describe the nature of the situation, when it occurred, and whether it would cause you to take sides in this case.

2. Have you, any member of your immediate family or anyone close to you, felt that they have been a victim of discrimination on any other basis? If so, please describe the nature of the situation, when it occurred, and whether it would cause you to take sides in this case.

3. Have you, any member of your immediate family or anyone close to you, filed a claim or charge of discrimination with the U.S. Equal Employment Opportunity Commission, the Hawaii Civil Rights Commission, and/or some other federal or state administrative agency or department? If so, please describe the nature of your claim or charge, when it occurred, the outcome, and whether it would cause you to take sides in this case.

4. Have you, any member of your immediate family or anyone close to you, been a plaintiff who filed a discrimination lawsuit in a court of law? If so, please describe the nature of the lawsuit, when it occurred, the outcome, and whether it would cause you to take sides in this case.

5. Have you, any member of your immediate family or anyone close to you, been accused of discrimination on the basis of gender origin? If so, please describe the nature of the accusation, when it occurred, the outcome, and whether it would cause you to take sides in this case.

6. Have you, any member of your immediate family or anyone close to you, been accused of any other type of discrimination? If so, please describe the nature of the accusation, when it occurred, the outcome, and whether it would cause you to take sides in this case.

7. Have you, any member of your immediate family, or anyone close to you, been a defendant who was sued in a discrimination lawsuit in a court of law? If so, please describe the nature of the lawsuit, when it occurred, the outcome, and whether it would cause you to takes sides in this case.

8. Have you, any member of your immediate family or anyone close to you, filed an internal complaint in connection with your employment? If so, please describe the nature of your complaint, when it occurred, the outcome, and whether it would cause you to take sides in this case.

9. Have you, any member of your immediate family or anyone close to you, been involved in an employment dispute? If so, please describe the nature of the dispute, when it occurred, the outcome, and whether it would cause you to take sides in this case.

10. Have you, any member of your immediate family or anyone close to you, have dealings with the State of Hawaii, Department of Education that resulted in an unpleasant experience? If so, please describe the nature of your experience, when it occurred, the outcome, whether it caused you to have a negative opinion about the Department of Education and whether it would cause you to take sides in this case.

11. Have you, or any member of your immediate family or anyone close to you, have dealings with the McKinley Community School for Adults that resulted in an unpleasant experience? If so, please describe the nature of your experience, when it occurred, the outcome, and whether it would cause you to have a negative opinion about the McKinley Community School for Adults and whether it would cause you to take sides in this case.

12. Have you, any member of your immediate family or anyone close to you, ever sued or made a legal claim against the State of Hawaii or its employees or any other government entity or its employees? If so, please describe the nature of the suit or claim, when it was filed, the outcome, whether it would cause you to have a negative opinion about the government entity or its employees and whether it would cause you to take sides in this case.

13. Do you feel that you, any member of your immediate family or anyone close to you, have ever been retaliated against by an employee of the State

of Hawaii or any other government entity? Retaliation can be defined as “seeking revenge,” “pay back” or “striking back” for something you, your family member or friend may have done. If so, please describe the nature of the situation, when it occurred, the outcome, whether it would cause you to have a negative opinion about the government entity or its employees and whether it would cause you to take sides in this case.

14. Have you, any member of your immediate family or anyone close to you, know any school administrators such as Principals or Vice-Principals? If so, please describe how you know these individuals and the nature of your relationship.

15. Do you have any opinions, one way or another, about school administrators? If so, please describe what these opinions are and the basis for your opinions.

16. Do you have any opinions about the State of Hawaii, Department of Education? If so, please describe what these opinions are and the basis for your opinions.

17. Have you ever been in a position where you have had to hire a person to fill a job position? If so, please describe what types of factors you take into consideration in terms of hiring and whether or not your experience would cause you to take sides in this case.

18. Have you, any member of your immediate family or anyone close to you, have any unpleasant experiences with the State of Hawaii, Department of the Attorney General? If so, please describe the nature of your experience, when it occurred, the outcome, whether it would cause you to have a negative opinion about the Department of the Attorney General and whether it would cause you to take sides in this case?

19. Have you been in a position where you have had to hire or assist in hiring a person to fill a vacant job position? If so, please describe your situation, your role, and whether your experience would cause you to take sides in this case.

20. Do you believe that Plaintiff Robert Sherez' claims have merit just because he filed a lawsuit? If so, please explain the reasons for your belief.

21. Do you believe that Plaintiff Robert Sherez is entitled to recovery simply because he brought this lawsuit? If so, please explain the reasons for your belief.

22. Have any of you read or heard anything about this case before arriving here today? If so, what did you read or hear?

23. If the evidence and the law are in favor of Defendants, will you have any hesitation about rendering a verdict for Defendants, even though it means that Plaintiff Robert Sherez may not recover any damages?

24. Do you believe that the party who brings the lawsuit, in this case Plaintiff Robert Sherez, has the burden to prove the Defendants are actually liable? If you do not believe this, please explain the basis for your belief.

25. Does anyone know the parties, witnesses and/or attorneys in this case? Or do you know anyone who has a close relationship with any of the parties, witnesses, and/or attorneys? If so, please identify who the person is, what is your relationship with this person, and that person's relationship to the party, witnesses, and/or attorney in question. Would knowing this person cause you to take sides in this case?

26. Is there any reason why you think you should not serve as a juror on this particular case? If so, please explain.

27. Does anyone have any reason why, for any reason, they believe he or she cannot be a fair and impartial juror in this case?